

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

KEVIN WILLIAMS,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 3:13 -CV-523 -NJR-DGW
)	
VIPIN SHAW and DONALD GAETZ,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

ROSENSTENGEL, District Judge:

Plaintiff has brought this Section 1983 action alleging that Defendants were deliberately indifferent to his asthmatic medical condition. On April 10, 2014, Defendant Gaetz filed a Motion for Summary Judgment (Doc. 23) on the issue of exhaustion (Doc. 23). This case comes before the Court on a Report and Recommendation (Doc. 42) entered on July 10, 2014, by Magistrate Judge Donald G. Wilkerson in which Magistrate Judge Wilkerson recommends that the Motion for Summary Judgment filed by Defendant Gaetz be denied.

The parties were informed that their deadline for objecting to Magistrate Judge Wilkerson's Report and Recommendation was July 28, 2014—a date that has come and gone. Because no party has filed an objection, the undersigned need not undertake *de novo* review. 28 U.S.C. § 636(b)(1)(C) ("A judge of the court shall make a *de novo*

determination of those portions of the report or specified proposed findings or recommendations *to which objection is made.*") (emphasis added). See also *Thomas v. Arn*, 474 U.S. 140 (1985); *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 741 (7th Cir. 1999); *Video Views, Inc. v. Studio 21, Ltd.*, 797 F.2d 538 (7th Cir. 1986).

The undersigned accordingly **ADOPTS** in its entirety Magistrate Judge Wilkerson's Report & Recommendation (Doc. 42) and rules as follows: Defendant Gaetz's Motion for Summary Judgment on the issue of exhaustion is **DENIED**.

IT IS SO ORDERED.

DATED: July 29, 2014

/s/Nancy J. Rosenstengel
NANCY J. ROSENSTENGEL
United States District Judge